

Serial No.: 10/550,363
Group Art Unit No.: 1649

Remarks

Entry of this amendment is respectfully requested. Claims 1 and 3-19 are pending in the instant application. Claims 1, 3-7 and 17-19 stand rejected. Claims 1, 3-7, and 17-19 are cancelled without prejudice or disclaimer of the subject matter therein. Claims 8-16 are amended herein to correct formalities. The Examiner objected to Claims 8-16 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and intervening claims. Applicants respectfully request reconsideration and withdrawal of the objections and rejections for the reasons set forth herein. There is no issue of new matter.

In view of the forthcoming remarks and the claims as amended, the Applicant(s) respectfully request that the Examiner withdraw his objections, rejections based on 35 USC §102(b), §102(e), §112, first paragraph, and nonstatutory double patenting because the current amended claims and terminal disclaimer render these rejections moot.

Claim Objections

Claims 1 and 17-19 are objected to because of informalities. Claims 1 and 17-19 have been cancelled to advance the prosecution of this case; this objection is now moot.

Claim Rejections Under 35 USC § 112

Claims 1, 3-7 and 19 are rejected under 35 U.S.C. §112, first paragraph. Claims 1, 3-7 and 19 have been cancelled to advance the prosecution of this case; this rejection is moot.

Claim Rejections Under 35 USC § 102

Claims 1, 3-7, and 19 stand rejected under 35 USC §102(b) as being anticipated by Irving WO 02/062383, published 15 August 2002. Claims 1, 3-7 and 19 are rejected under 35 U.S.C. §112, first paragraph. Claims 1, 3-7 and 19 have been cancelled to advance the prosecution of this case; this rejection is moot.

Claims 17-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Ellis (U.S. Patent 7,612,183, issued 3 November 2009, PCT filed 5 August 2003). Claims 17-18 have been cancelled to advance the prosecution of this case; this rejection is moot.

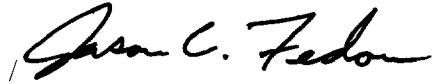
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Double Patenting

Claims 1, 3-7 and 19 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-4, 13-16 of copending Application No. 11/746355. Claims 1, 3-7 and 19 have been cancelled to advance the prosecution of this case; this rejection is moot.

The Applicants reserve the right to prosecute, in one or more patent applications, the claims to non-elected inventions, the claims as originally filed, and any other claims supported by the specification. The Applicants thank the Examiner for the Office Action and believe this response to be a full and complete response to such Office Action. Accordingly, favorable reconsideration and allowance of the pending and new claims is earnestly solicited. If it would expedite prosecution of this application, the Examiner is invited to confer with the Applicants' undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, reading "Jason C. Fedon", enclosed in a pair of slanted forward slashes.

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